

**SEVENTH DAY**  
(Tuesday, January 25, 1983)

The Senate met at 10:30 o'clock a.m., pursuant to adjournment and was called to order by the President.

The roll was called and the following Senators were present: Blake, Brooks, Brown, Caperton, Doggett, Edwards, Farabee, Harris, Henderson, Howard, Jones, Kothmann, Leedom, Lyon, Mauzy, McFarland, Montford, Parker, Parmer, Santiesteban, Sarpalius, Sharp, Sims, Traeger, Truan, Uribe, Vale, Washington, Whitmire, Williams.

Absent-excused: Glasgow.

A quorum was announced present.

Pastor J. Ralph Hess, Retired Minister, Lutheran Social Services of Texas, Austin, offered the invocation as follows:

The church calendar today notes the conversion of St. Paul. On the road to Damascus his life was changed. From Paul the persecutor he dramatically was turned into Paul the builder.

It is in order for us then to bow our heads in prayer asking first for forgiveness for the lives we have damaged with misguided zeal.

Though even the institutions of society have sanctioned our actions, we have acted in ignorance at times, even driven by prejudice. Let the spirit of the living God guide us, treading the new paths He would have us blaze. No longer inflamed to destroy but to heal may we work courageously. In His Name we pray. Amen.

On motion of Senator Brooks and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

**LEAVE OF ABSENCE**

Senator Glasgow was granted leave of absence for today on account of important business on motion of Senator Traeger.

**CO-AUTHORS OF SENATE BILL 29**

On motion of Senator Traeger and by unanimous consent, Senators Sarpalius, McFarland, Sharp, Kothmann, Vale, and Parker will be shown as Co-authors of S.B. 29.

**MESSAGE FROM THE HOUSE**

House Chamber  
January 25, 1983

HONORABLE W. P. HOBBY  
PRESIDENT OF THE SENATE

SIR: I am directed by the House to inform the Senate that the House has passed the following:

**S.C.R. 5,** Granting Texas Youth and Government Program permission to use the Senate Chamber of the State Capitol.

**S.C.R. 9,** Inviting Governor Mark White to address a Joint Session of the Legislature on Thursday, January 27, 1983, at 11:00 a.m.

**S.C.R. 12,** Inviting the Honorable John Glenn to address the Legislature in Joint Session on Wednesday, January 26, 1983.

**S.C.R. 13**, In memory of George R. Brown.

**H.C.R. 19**, Inviting Senator Lloyd Bentsen to address a Joint Session.

Respectfully,

BETTY MURRAY, Chief Clerk  
House of Representatives

### REPORTS OF STANDING COMMITTEES

Senator Brooks submitted the following report for the Committee on Health and Human Resources:

**S.C.R. 4**  
**S.B. 49**  
**S.B. 48** (Amended)  
**S.B. 213**  
**C.S.S.B. 98** (Read first time)

Senator Farabee submitted the following report for the Committee on State Affairs:

**S.B. 95**  
**S.B. 6**  
**S.B. 154**

### SENATE BILLS AND RESOLUTIONS ON FIRST READING

The following bills and resolutions were introduced, read first time and referred to the Committee indicated:

**S.B. 215** by Parker, Williams, Health and Human Resources  
Brooks, Truan  
Relating to the creation of the Texas Diabetes Council and to the establishment of pilot programs for persons with diabetes.

**S.B. 217** by Sharp Jurisprudence  
Relating to the transfer of a child from the juvenile court to a court having criminal jurisdiction and to examining trials and appeals in criminal cases.

**S.B. 218** by McFarland, Parker State Affairs  
Relating to the effect of confinement in another penal institution on the duration of a sentence to be served in the Texas Department of Corrections.

**S.B. 219** by Caperton, Brooks, Williams State Affairs  
Relating to the fee for a new or reissued certificate of title to a motor vehicle.

**S.B. 220** by Caperton Intergovernmental Relations  
Relating to inclusion of an area as part of a city if the city has treated the area as being within its boundaries.

**S.B. 221** by Caperton, Brooks, Williams State Affairs  
Relating to the fee charged for an ad valorem tax certificate.

**S.B. 222** by Caperton State Affairs  
Relating to temporary registration permits for certain motor vehicles not registered in this state.

**S.B. 223** by Caperton Intergovernmental Relations  
Relating to creation of the County Court at Law of Waller County.

**S.B. 234** by Sharp Economic Development  
Relating to the registration of Fire Protection Contractors selling, installing, maintaining, and servicing fire protection sprinkler systems; providing penalties; and declaring an emergency.

**S.J.R. 8** by Brooks

State Affairs

Proposing a constitutional amendment relating to the exemption from taxation of the property of charitable institutions.

**S.C.R. 14** by Parker, Williams,

Health and Human Resources

Truan

Directing the Texas Department of Health to redirect its diabetes screening programs and to study the scope and standards of diabetes education programs in Texas.

**S.C.R. 15** by Parker, Williams,

Health and Human Resources

Truan

Requesting the Texas Education Agency to emphasize health education in Texas public schools.

**S.C.R. 16** by Parker, Williams,

Health and Human Resources

Truan

Recommending that education programs for professional dietitians include coursework on diabetes mellitus.

**S.C.R. 17** by Parker, Williams,

Health and Human Resources

Truan

Recommending that the state's nursing schools include diabetes mellitus material in their coursework.

**S.C.R. 18** by Parker, Williams,

Health and Human Resources

Truan

Recommending that the State Board of Education, the Texas Medical Association, state medical schools and subspecialty medical organization conduct studies relating to continuing education related to diabetes.

**S.C.R. 19** by Parker, Williams,

Health and Human Resources

Truan

Requesting the State Board of Insurance to work with insurance industry concerning coverage for persons with diabetes.

**S.C.R. 20** by Parker, Williams,

Health and Human Resources

Truan

Requesting Texas Department of Human Resources to apply for medicare/medicaid waiver under P.L. 92-603 to permit reimbursement under certain programs to be established by the Texas Diabetes Council.

**S.C.R. 23** by Santiesteban

Administration

Granting Borsberry Construction Co., Inc., permission to sue the State.

#### SENATE RESOLUTION 79

Senator Blake offered the following resolution:

WHEREAS, One of the fastest rising young stars in the Texas political firmament, Senator Ted Lyon of Mesquite, was born 35 years ago on January 23, 1945; and

WHEREAS, This eloquent young lawyer distinguished himself during his two terms in the Texas House of Representatives before his election to the Senate in 1982; selected as Freshman of the Year in 1979, he was also chosen one of the Five Outstanding Young Men by the Texas Jaycees; and

WHEREAS, It is already evident that the residents of Senatorial District 2 will benefit from the same hard work and diligence that characterized Senator Lyon's work in the House of Representatives; and

WHEREAS, A tremendous asset in Senator Lyon's career has been his lovely wife, Donna, who has gifted him with two handsome young sons, Ted, III and Payton; and

WHEREAS, It is a pleasure and honor for the Members of the Texas Senate to share in this joyous occasion with a favored colleague; now, therefore, be it

RESOLVED, That the Senate of the State of Texas, 68th Legislature, hereby extend warm birthday greetings to Senator Ted Lyon with many happy returns; and, be it further

RESOLVED, That a copy of this Resolution be prepared for Senator Ted Lyon as an expression of friendship and personal regards from his fellow Senators.

The resolution was read and was adopted.

#### SENATE RESOLUTION 80

Senator Blake offered the following resolution:

WHEREAS, On November 2, 1982, citizens of 38 West Texas counties elected one of the area's finest and most respected ranchers and businessmen, Bill Sims of San Angelo, to represent them in the Texas Senate; and

WHEREAS, We join together in honoring our esteemed colleague, Bill Sims, as he celebrates his 51st birthday on January 25; and

WHEREAS, A graduate of Texas Tech University, Senator Sims operates a successful 3,400-acre farm and ranch in Concho County; he brings to the Senate a deep understanding and considerable knowledge of future challenges facing our natural resources; and

WHEREAS, Executive secretary of the Texas Sheep and Goat Raisers Association for more than 17 years, he has greatly enhanced numerous national and state agriculture advisory committees, including the Texas Feed and Fertilizer Advisory Committee, the Texas Water Resources Commission, and the Texas Agriculture Council, as they benefited from his expertise; and

WHEREAS, Senator Sims and his gracious wife, Sue, have shared the joy of raising two fine young adults, Billy Lowe Sims and Sue Ann Sims Setzler; and

WHEREAS, It is indeed a pleasure to welcome a man such as Bill Sims into the Senate of Texas; now, therefore, be it

RESOLVED, That the Senate of the State of Texas, 68th Legislature, hereby extend warm happy birthday greetings to one of the most promising members of the freshman class of the Texas Senate, Senator Bill Sims; and, be it further

RESOLVED, That a copy of this Resolution be prepared for Senator Bill Sims as a memento of his 51st birthday.

The resolution was read and was adopted.

#### SENATE RESOLUTION 81

Senator Blake offered the following resolution:

WHEREAS, It has been the custom to have photographs of the Governor, Lieutenant Governor, Senators and Secretary of the Senate prepared in a block picture and placed in the Senate Chamber at the end of each legislative session; and

WHEREAS, It is the desire of the Senate to honor the children and grandchildren of the Members of the Senate and Lieutenant Governor as Mascots; now, therefore, be it

RESOLVED, That all sons or grandsons of the Members of the Senate and Lieutenant Governor who have not reached their fifth birthday are hereby elected Mascots of the Senate, and that their pictures be included in the block picture of the Senate; and, be it further

RESOLVED, That all daughters or granddaughters of the Members of the Senate and the Lieutenant Governor who have not reached their fifth birthday are

hereby elected Sweethearts of the Senate, and that their pictures be included in the block picture of the Senate; and, be it further

RESOLVED, That this Resolution shall not include the children previously named Mascots or Sweethearts in the Senate whose pictures appear on existing block picture panels of the Senate; and be it further

RESOLVED by the Senate of the State of Texas, 68th Legislature, That the Administration Committee arrange to have the photographs made of the Governor, Lieutenant Governor, Senators, Secretary of the Senate, Mascots, and Sweethearts, and that said photographs be arranged in block panel and placed in the Senate Chamber, the expenses for which are to be paid out of the contingent fund of the Senate.

The resolution was read and was adopted.

#### SENATE CONCURRENT RESOLUTION 21

Senate Brooks offered the following resolution:

S.C.R. 21, In memory of Leopold "Lep" Meyer.

The resolution was read.

On motion of Senator Brown and by unanimous consent, the names of the Lieutenant Governor and Senators were added to the resolution as signers thereof.

On motion of Senator Brooks and by unanimous consent, the resolution was considered immediately and was adopted by a rising vote of the Senate.

#### SENATE CONCURRENT RESOLUTION 22

Senator Brooks offered the following resolution:

S.C.R. 22, Designating February 2, 1983, as Disability Rally Day in Texas.

BROOKS  
DOGGETT

The resolution was read.

On motion of Senator Brooks and by unanimous consent, the resolution was considered immediately and was adopted.

#### SENATE RESOLUTION 71

Senator Brooks offered the following resolution:

S.R. 71, Commending Nancy Barker for her notable service with the Texas Department of Mental Health and Mental Retardation.

The resolution was read and was adopted.

#### HOUSE CONCURRENT RESOLUTION 19

The President laid before the Senate the following resolution:

H.C.R. 19, Inviting Senator Lloyd Bentsen to address a Joint Session of the Legislature on February 15, 1983, at 10:00 o'clock a.m.

The resolution was read.

On motion of Senator Caperton and by unanimous consent, the resolution was considered immediately and was adopted.

**MESSAGE FROM THE GOVERNOR**

The following Message from the Governor was read and was referred to the Committee on State Affairs, Subcommittee on Nominations:

Austin, Texas  
January 25, 1983

**TO THE SENATE OF THE SIXTY-EIGHTH LEGISLATURE, REGULAR SESSION:**

I ask the advice, consent and confirmation of the Senate with respect to the following appointments:

**TO BE A MEMBER OF THE BOARD OF REGENTS OF TEXAS A&M UNIVERSITY SYSTEM:**

For a term to expire January 24, 1989:

DAVID ELLER of Houston, Harris County, Texas, who is replacing John R. Blocker of Houston, Harris County, Texas, whose appointment was returned to this Governor.

For a term to expire January 24, 1989:

JOE REYNOLDS of Houston, Harris County, Texas, who is replacing Michel T. Halbouty of Houston, Harris County, Texas, whose appointment was returned to this Governor.

For a term to expire January 24, 1989:

DR. JOHN B. COLEMAN of Houston, Harris County, Texas, who is replacing The Honorable Bill Clayton of Springlake, Lamb County, Texas, whose appointment was returned to this Governor.

Respectfully submitted,

/s/Mark White  
Governor of Texas

**CONGRATULATORY RESOLUTION**

**S.R. 72** - By Henderson: Extending congratulations to James M. Windham, Jr.

**ADJOURNMENT**

On motion of Senator Brooks, the Senate at 10:58 o'clock a.m. adjourned until 11:00 o'clock a.m. tomorrow.

**APPENDIX**

Signed by Governor  
(January 24, 1983)

**H.C.R. 13**

**EIGHTH DAY**

(Wednesday, January 26, 1983)

The Senate met at 11:00 o'clock a.m., pursuant to adjournment and was called to order by the President.

The roll was called and the following Senators were present: Blake, Brooks, Brown, Caperton, Doggett, Edwards, Farabee, Harris, Henderson, Howard, Jones,